

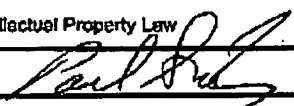
PTO/SB/21 (09-04)

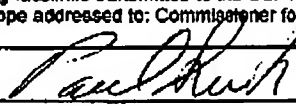
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/659,597	
	Filing Date	September 9, 2003	
	First Named Inventor	CHILBECK, Richard H.	
	Art Unit	1723	
	Examiner Name	Terry K. Cecil	
Total Number of Pages in This Submission	17	Attorney Docket Number	196P1

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ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input checked="" type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax cover sheet, cover letter, credit card payment form
Remarks		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm Name	Paul Smith Intellectual Property Law	
Signature		
Printed name	Paul Smith	
Date	November 16, 2004	Reg. No. 35,777

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Paul Smith	Date	November 16, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**PAUL SMITH  
INTELLECTUAL PROPERTY LAW  
SUITE 330 - 1508 W. BROADWAY  
VANCOUVER, B.C.  
V6J 1W8**

**Date: November 16, 2004**

**Number of pages including this one: { 17 }**

**Fax to: The Commissioner of Patents  
United States Patent and Trademark Office**

**Attention: Examiner Terry K. Cecil, Art Unit 1723**

**Fax Number: 703-872-9306**

**Your File(s): 10/659,597**

**Fax from: Paul Smith**

**Fax Number: 604-689-7216**

**Our File(s): 196P1**

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Paul Smith, P.Eng., LL.B.  
C. Larry Kyle, B.Sc., LL.B.  
Dana L. Turner, B.Sc. (Met. Eng.), LL.B.  
Lawrence Chan, B.Sc., LL.B.

Christine Sharik, Trademark Agent

November 16, 2004

Our File: 196P1

Commissioner of Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**VIA FAX ONLY**  
**703-872-9306**

Dear Sir or Madam:

Re: United States Patent Application No. 10/659,597  
Title: APPARATUS FOR REMOVING METALLIC PARTICLES  
FROM EFFLUENT LIQUID WASTE  
Inventor: CHILIBECK, Richard H.  
Owner: CHILIBECK, Richard H.  
Filing Date: September 9, 2003  
Art Unit No.: 1723

We file herewith the following:

1. Transmittal Form PTO/SB/21 (1 page);
2. Fee Transmittal Form (PTO/SB/17) (1 page);
3. Credit Card Payment Form (PTO-2038) (1 page);
4. Terminal Disclaimer to Obviate a Double Patenting Rejection Over a "Prior" Patent (PTO/SB/26) (1 page);
5. A Response to the Office Action dated November 15, 2004 (7 pages); and

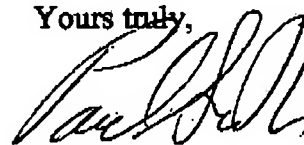
SUITE 330 - 1508 WEST BROADWAY  
VANCOUVER BRITISH COLUMBIA CANADA V6J 1W8  
• tel: (604) 689-7276 • fax: (604) 689-7216

2

6. Copy of an Assignment from the inventor/applicant Richard Chilibeck to Maximum Separation Systems Inc.

We trust the above is satisfactory and look forward to further prosecution of this application in due course.

Yours truly,



Paul Smith  
Reg. No. 35,777

PS/cs/enclosures  
196p1.usp

PTO/SB/17 (10-04v2)

Approved for use through 07/31/2008. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL**  
**for FY 2005**

Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$)**55****Complete if Known**

Application Number	10/659,597
Filing Date	September 9, 2003
First Named Inventor	CHILIBECK, Richard H.
Examiner Name	Terry K. Cecil
Art Unit	1723
Attorney Docket No.	19691

**METHOD OF PAYMENT (check all that apply)**☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit AccountDeposit  
Account  
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Account  
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The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

**SUBTOTAL (1)** (\$)**0****2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 88	2201 44	Independent claims in excess of 3	
1203 300	2203 150	Multiple dependent claim. If not paid	
1204 88	2204 44	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	

**SUBTOTAL (2)** (\$)**0**

\*\*or number previously paid, if greater. For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 820*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	
1253 980	2253 480	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,370	2453 685	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 680	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 800	1802 800	Request for expedited examination of a design application	

Other fee (specify) **Terminal Disclaimer Fee**

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$)**55****SUBMITTED BY**

Name (Print/Type)

Paul Smith

Signature

Registration No.  
(Attorney/Agent)

35,777

(Complete if applicable)

Telephone

6046897276

Date

Nov. 16, 2004

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

.196P1

**ASSIGNMENT**

This Assignment is made by CHILIBECK, Richard of 5549 Forest Hill Road, Victoria, British Columbia, CANADA, V9E 2A8 (hereinafter referred as "Assignor"), to Maximum Separation Systems Inc., ("Assignee") having a place of business at 6588 Sooke Road, Sooke, British Columbia, CANADA, V0S 1N0.

WHEREAS, Assignor has invented a new and useful invention entitled **APPARATUS FOR REMOVING METALLIC PARTICLES FROM EFFLUENT LIQUID WASTE**, (the "Invention") as described and claimed in United States Patent Application No. 10/659,597 filed September 9, 2003 (the "Application");

WHEREAS, Assignor believes himself to be the original, first inventor of the Invention disclosed and claimed in said Application; and

WHEREAS, Assignee desires to acquire by formal, recordable assignment the entire right, title and interest in and to said Invention, in and to said Application, and in and to any patent that may be granted for said Invention or in respect of said Application in the United States or anywhere in the world;

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby sells, assign and transfer to Assignee, the entire right, title and interest in and to said Invention, in and to said Application, and in and to any patent that may be granted for said Invention or on said Application in the United States and anywhere in the world, including the right to file applications directly in any country in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise.

Further, Assignor agrees that, upon request and without further compensation, but at no expense to Assignor, he and his legal representative(s) and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing or enforcing any patent as may issue anywhere in the world for said Invention, or on said Application, and for perfecting, recording or maintaining the title of Assignee, its successors and assigns, to said Invention, said Application, and any patent granted for said Invention in the United States or anywhere in the world.

Assignor represents and warrants that he has not granted and will not grant to any other person or entity any rights inconsistent with the rights granted herein.

3

Assignor authorizes and requests the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any patent granted for said Invention, whether on said Application or on any subsequently filed division, continuation, continuation-in-part or reissue application, to Assignee, its successors and assigns, as the assignee of the entire interest in said Invention.

IN WITNESS WHEREOF, Assignor has executed this Assignment on the dates written hereinbelow.

Dated: November 1, 2004

Assignor:

Richard Chilibeck  
RICHARD CHILIBECK

Witness: Margaret R. Chilibeck

Witness name: Margaret R. Chilibeck  
(printed)

Accepted by Assignee:

Dated: November 5, 2004

MAXIMUM SEPARATION SYSTEMS INC.

Per: [Signature]

Title: President

Witness: [Signature]

Witness name: Aue Loftis  
(printed)

196P1.asg